IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 2233 of 2004

Between:

1 The Secretary to Government, Forest, Animal Husbandary and Fisheries Department, Secretariat, Hyderabad.
2 The Special Secretary to Government, Finance and Planning (F.W.P.C.II), Department, Secretariat, Hyderabad.
3 The Director of Animal Husbandary, A.P.Hyderabad.
4 The Regional Joint Director of Animal Husbandary, Ranga Reddy District at Hyderabad.
5 The Deputy Director of Animal Husbandry, Large Scale Sheep Breeding Farm, Mamidipally, Ranga Reddy District.

..... PETITIONERS

AND

1 Smt.B.Kalamma,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.
2 G.Anjaiah,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.
3 N.Kistaiah,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.
4 Smt.Narsamma,

O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.

5 Smt G.Yadamma,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.

6 Smt.B.Anjamma,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.

7 Y.Yadaiah,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.

8 Smt.G.Yadamma,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.

9 M.Kistaiah,
O/o Dy.Director, Animal Husbandry, Large Scale Sheep Breeding Farm,Mamidipally, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order, direction or a Writ particularly one in the nature of a Writ of Certiorari calling for the records relating to the order of the Hon'ble A.P.Administrative Tribunal dated 29-08-2003 in O.A.No.4056/98 and to quash the same.

Counsel for the Petitioner: GP FOR FINANCE & PLANNING

Counsel for the Respondent Nos 3 to 7: Mr.KUSURI SATYANARAYANA

The Court made the following:

THE HON'BLE SRI JUSTICE G.BIKSHAPATHY

AND

THE HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO.2233 OF 2004

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ORDER: (per the Hon'ble Sri justice G.Bikshapathy)

This writ petition is filed by the Government assailing the order passed by the A.P. Administrative Tribunal (for short 'the Tribunal') dated 29.07.2003 in O.A.No.4056 of 1998. The unofficial respondent herein filed an application before the Tribunal seeking regularization of his services. The Tribunal, after considering the matter disposed of the said O.A. with the following directions:

> "In the circumstances, as the applicants have put in long years of service, the respondents are directed to consider the cases of the applicants for regularization of their services in terms of the judgment of the Supreme Court in AIR 2001 SUPREME COURT 706 GUJARAT AGRICULTURAL UNIVERSITY V. RATHOD LABHU BECHAR AND OTHERS, and pass necessary orders in this regard within 4 weeks from today. Since the applicants are continuously working, their services should be counted from the date of their initial appointment."

Against the said order, the present Writ Petition is filed.

2. The learned Government Pleader submits before this Court that in pursuance of the directions issued by the Tribunal, the matter was considered and the orders were passed in proceedings No.17768/BV/B4/2001, dated 13.01.2004, rejecting the case for regularization. In the wake of this submission, we find that the writ petition is not maintainable in the hands of the Government.

3. Accordingly, the writ petition is dismissed. No costs. However, we leave it open to the unofficial respondents to challenge the order in proceedings No.17768/BV/B4/2001, dated 13.01.2004, if they so choose.

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G.BIKSHAPATHY, J

Dated 14th July, 2004.

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B.SESHASAYANA REDDY, J

YCR

Copy to:

1. The Registrar, A.P. Administrative Tribunal, Hyderabad.

2. The Secretary to Government, Forest, Animal Husbandary and

Fisheries Department, Secretariat, Hyderabad.

3. The Special Secretary to Government, Finance and Planning

(F.W.P.C.II), Department, Secretariat, Hyderabad.

4. The Director of Animal Husbandary, A.P.Hyderabad.

5. The Regional Joint Director of Animal Husbandary, Ranga Reddy

District at Hyderabad.

6. The Deputy Director of Animal Husbandry, Large Scale Sheep

Breeding Farm, Mamidipally, Ranga Reddy District.

7. 2 C.C. copies to G.P. for Finance and Planning, High Court Bldgs, Hyderabad. (OUT).

8. 2 C.D. copies.